

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

<p><b>IN RE: VALSARTAN, LOSARTAN, AND IRBESARTAN PRODUCTS LIABILITY LITIGATION</b></p>	<p><b>MDL No. 2875</b></p>
<p><b>THIS DOCUMENT RELATES TO ALL CASES</b></p>	<p><b>HON. ROBERT B. KUGLER</b></p>

**NOTICE TO TAKE VIDEOTAPED ORAL DEPOSITION**

TO: **Steven Harkins  
Greenberg Traurig, LLP  
Terminus 200  
3333 Piedmont Road NE, Suite 2500  
Atlanta, GA 30305**

*Attorneys for Defendants*

Please take notice that pursuant to Federal Rule of Civil Procedure 30, and other applicable Rules, including the Local Civil Rules, and the applicable Orders of the Court, Plaintiffs, by and through their counsel, will take the videotaped deposition via Zoom, of Steven W. Baertschi, Ph.D., on **January 26, 2023, at 9:00 a.m.** eastern time, and continuing until completion that day, at Greenberg Traurig, LLP, Terminus 200, 3333 Piedmont Road NT, Suite 2500, Atlanta, GA 30305, via Zoom, in accordance with the Fact Witness Deposition Protocol, Case Management Order #20, filed November 17, 2020 (Document 632). The witness shall produce the documents requested at Exhibit A, attached hereto, at least two days in advance of the deposition, to the extent not already served upon Plaintiffs.

**TAKING ATTORNEY FOR PLAINTIFFS:**

Rosemarie Riddell Bogdan  
Harding Mazzotti, LLP  
1 Wall Street  
Albany, NY 12205  
Tel: 518-862-1200  
Rosemarie.Bogdan@1800law1010.com

The videotaped deposition will be taken via Zoom before a person authorized by law to administer oaths, pursuant to Rule 28 of the Federal Rules of Civil Procedure.

Dated: January 19, 2023

**PLAINTIFFS' COUNSEL**

By: /s/ Rosemarie Riddell Bogdan  
Rosemarie Riddell Bogdan  
Harding Mazzotti, LLP  
1 Wall Street  
Albany, NY 12205  
Tel: 518-862-1200  
Rosemarie.Bogdan@1800law1010.com

**EXHIBIT A**

**DOCUMENT REQUESTS**

1. Copies of all invoices for work performed in connection with any consultation or expert work performed for or on behalf of any defendant or their counsel with regard to any issues in this MDL, including but not limited to for the review of documents, review and consultation with regard to plaintiff experts, preparation of Dr. Baertschi's report, and preparation for deposition or trial.
2. Copies of any notes, i.e. written or electronic, reflecting consulting or litigation work that has not been documented in invoices.
3. Copies of any notes or other documentation, including PowerPoints, for any presentations, seminars, or classes, given by Dr. Baertschi with regard to the chemical formation of nitrosamines under any circumstances, including those formed in ZHP's manufacturing process for valsartan API.
4. Copies of any notes or other documentation, including PowerPoint, for any presentation, seminars, or classes, given by Dr. Baertschi with regard to the technology and methods used for the identification of nitrosamines under any circumstances, including those formed in ZHP's manufacturing process for valsartan API.
5. Copies of any documents including protocols or information about the chemical formation of nitrosamines under any circumstances, available to the witness from any laboratory or academic institution where he has worked, had an appointment, or had access, which set forth information related to the chemical formation of nitrosamines under any circumstances, and the technology and methods used to identify nitrosamines.
6. Any articles, presentations, seminars, classes, or other similar documents (including PowerPoint-type slides) authored or used by the witness with regard to USP monographs, the Orange Book, RLDs, NDAs, aNDAs, DMF, hypertension, treatments for hypertension, ARBs, adulteration and misbranding of drug products.
7. Any articles, presentations, seminars, classes, blogs, posts, or other similar documents (including PowerPoint-type slides) authored by the witness and any aspect concerning pharmacy benefits and reimbursement, FDA regulatory compliance for pharmaceutical drugs, and cGMP compliance, related in any way to the witness' opinion in this matter.
8. All documents concerning Dr. Baertschi's work with the USP.
9. All documents relating to any remuneration the witness has received from any manufacturer, distributor, or retailer of pharmaceutical drugs.

10. Copies of any documents or articles relied upon for the opinions set forth in the report served.
11. Copies of any documents or articles reviewed in connection with the report served, whether or not listed in the report or attachments thereto.
12. Documentation of any research the witness has performed with regard to any angiotensin II receptor blockers, nitrosamines, or the identification of nitrosamines.
13. Copies of all publications and presentations listed in Dr. Baertschi's CV, and any updated CV or testimony list.
14. Any illustrations, PowerPoints, images, charts, tables or demonstrative exhibits that may be used by or with Dr. Baertschi in connection with a Daubert hearing or trial testimony in this litigation.
15. Documentation of any research grant the witness has been provided to study any angiotensin II receptor blockers, or nitrosamines, or the identification of nitrosamines.
16. Documentation of any work performed for or on behalf of any defendant manufacturer and/or defense law firm, in this MDL, at any time.
17. All documents reflecting valsartan or any other drug recalls relating to nitrosamines that the witness received, reviewed, or sent.
18. Any documents or other communications the witness received from any person or entity with regard to nitrosamine impurities in any angiotensin II receptor blocker or other drug, outside of information provided by counsel who retained the witness.
19. Any communications from the witness to any person or entity with regard to nitrosamine impurities in any angiotensin II receptor blocker or other drug, outside of communications to counsel who retained the witness.
20. Any literature or textbook referenced by the witness in forming his or her opinions.
21. Copies of all transcripts of testimony under oath given by Dr. Baertschi in the last 10 years.

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 19, 2023, I electronically filed the foregoing document with the Clerk of the court using CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

**PLAINTIFFS' COUNSEL**

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